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Gore Alleged to Have Violated Law He Authored **Senate to Probe Vice President's Secret Deals on Russian Arms to Iran**

On Wednesday, October 25, the Senate Committee on Foreign Relations will begin hearings to probe recent press reports that Vice President Al Gore and then Russian Prime Minister Victor Chernomyrdin made a secret agreement five years ago in which the Vice President promised that the Clinton Administration would not enforce a U.S. law requiring sanctions for Russian weapons sales to Iran. That agreement has all the hallmarks of a secret treaty, although it was never submitted to the Senate. At the minimum, the secret deal constitutes an international agreement which should have been submitted pursuant to the Case-Zablocki Act (1 U.S.C. 112b), which requires the Secretary of State to transmit to Congress the text of all international agreements, other than treaties, within 60 days after such agreements enter into force.

To date, the Clinton-Gore Administration has refused Congressional requests to submit documents related to the deal; yet portions of one important document, a 12-page agreement signed by Gore and Chernomyrdin in which the Vice President commits the United States to "avoid any penalties to Russia that might otherwise arise under domestic law," appeared in the October 17, 2000, edition of the *Washington Times*. The final paragraph of this document reads, "This aide memoire, as well as the attached annexes, will remain strictly confidential."

New York Times Breaks Story

The secret Gore-Chernomyrdin agreement, and the Clinton-Gore Administration's promise not to implement U.S. laws requiring sanctions for Russian weapons proliferation to Iran, was first reported in the *New York Times* on October 13, 2000:

"The 1995 agreement allowed Moscow to fulfill existing sales contracts for specified weaponry, including a diesel submarine, torpedoes, anti-ship mines and hundreds of tanks and armored personnel carriers. But no other weapons were to

be sold to Iran, and all shipments were to have been completed by last December 31.

"In exchange for the Russian promises, the United States pledged not to seek penalties against Russia under a 1992 law that requires sanctions against countries that sell advanced weaponry to countries the State Department classifies as state sponsors of terrorism. Iran is on that list."

The law referenced above is the 1992 Iran-Iraq Non-Proliferation Act (P.L. 102-484), *sponsored by then Senator Al Gore*, along with Senator John McCain. This law requires the President to impose sanctions on countries that sell advanced weaponry or assist in nuclear weapons programs in countries sponsoring terrorism. Russian cooperation with Iran's nuclear program was a major concern behind enactment of that legislation.

Transfer of Equipment Meets Threshold for Sanctions

Pursuant to the 1995 agreement, the Clinton-Gore Administration would appear to have acquiesced in the transfer to Iran of sophisticated Russian weaponry. Specifically, Iran has taken delivery of advanced combat aircraft and T-72 main battle tanks. Further, Russia has allegedly transferred a variety of surface-to-air missiles, including shoulder-fired surface-to-air missiles which are akin to Stingers. Most significantly, Russia has supplied three KILO-class diesel submarines to Iran, together with advanced "wake-homing" torpedoes and anti-ship mines. The White House has tried to downplay the impact of the Vice President's deal with Victor Chernomyrdin by arguing that the weaponry transferred was "antiquated."

However, according to most naval experts, KILO-class submarines are anything but antiquated. The submarines sold to Iran are difficult to detect and track in the shallow waters of the Persian Gulf because they generate very little noise when operating on battery power. In event of a crisis, Iran's KILO-class submarines would pose a threat to U.S. forces, allied vessels, and merchant traffic. Because Iran is also acquiring surface-to-air missiles and anti-ship cruise missiles from Russia and China, U.S. anti-submarine warfare assets would find their ability to operate against the KILO-class submarines heavily circumscribed during the initial phases of a crisis. Thus, Russia has provided Iran with a significant military capability which poses a direct threat to U.S. ships in the region. As such, these transfers meet the threshold for sanctions under the so-called Gore-McCain Act.

Even Secretary of State Admits Sanctions Should Have Been Imposed

Recently, a spokesman for the Vice President defended Gore's actions, claiming that "none of the weapons included in the agreement met the standard for triggering sanctions under the Gore-McCain law." But Secretary of State Madeleine Albright clearly has a different opinion. In a secret letter uncovered by the *Washington Times*, and sent last January to Russian Foreign Minister Igor Ivanov, the Secretary of State admitted, "Without the aide memoire, Russia's

conventional arms sales to Iran would have been subject to sanctions based on various provisions of our laws" [10/18/00]. Secretary Albright's comments seem to indicate a clear commitment was given by the Vice President to ignore domestic sanctions laws.

Secret Agreement May Also Involve Nuclear Cooperation with Iran

Vice President Gore's meetings with Chernomyrdin also may have involved Russia's nuclear transactions with Iran. Classified documents obtained recently by the *Washington Times* contained a December 9, 1995, letter written by Mr. Chernomyrdin to Vice President Gore with details on Russia's deal with Iran to build a nuclear reactor. The Russian prime minister downplays the likelihood that Russian assistance to Iran's nuclear program would assist Tehran's radical anti-American regime — a sponsor of terrorism designated by the U.S. State Department — to achieve a nuclear weapons capability, and insists such information be kept from Congress:

" 'The information that we are passing on to you is not to be conveyed to third parties, including the U.S. Congress,' Mr. Chernomyrdin said. 'Open information concerning our cooperation with Iran is obviously a different matter, and we do not object to the constructive use of such information. I am counting on your understanding.' " [*Washington Times*, 10/17/00]

The secret arrangements between Mr. Gore and Mr. Chernomyrdin mostly took place in the context of a channel of communication known as the Gore-Chernomyrdin Commission, which began in 1993 and was conducted in twice-yearly meetings until Mr. Chernomyrdin was removed by former Russian president Boris Yeltsin in 1998. This channel appears to have served as a conduit for information and pledges regarding Russia's proliferation behavior that were never disclosed to Congress despite a variety of U.S. laws.

Agreements Contradict Gore's Stand on Proliferation

The secret agreements between Gore and Chernomyrdin contradict Clinton's and Gore's concerns that, "We need an administration that will produce action, not just promises, to stop the spread of dangerous missiles in the Middle East. We need a strong international effort and tough sanctions to keep weapons of mass destruction out of the hands of tyrants like those in Iran, Iraq, Libya and Syria" [*Putting People First: How We Can All Change America*, 1992, p. 125].

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